

CITY OF ANGELS
CITY COUNCIL
MINUTES

Tuesday, June 22, 2010

Council Members Present: Jack Lynch (Mayor), Jack Boeding, (Vice Mayor), Elaine Morris, Craig Turco and Rick Downey

Staff Present: David Richards, Todd Fordahl, David Hanham, Melisa Ralston and Mary Kelly

5:00 p.m. CALL TO ORDER

ADJOURN TO CLOSED SESSIONS:

CLOSED SESSION:

CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO California Government Code Section 54957.6: Fire MOU, Non-Exempt MOU and Exempt MOU – City Labor Negotiators – Council Members Downey and Turco

CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL PURSUANT TO California Government Code Section 54957.6: Status of City Administrator's Contract

6:00 p.m. REGULAR MEETING

ACTION TAKEN IN CLOSED SESSION – JUNE 2, JUNE 9, JUNE 22, 2010

CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO California Government Code Section 54957.6: Fire MOU, Non-Exempt MOU and Exempt MOU – City Labor Negotiators – Council Members Downey and Turco

Council Action: Direction given to negotiators

JUNE 2 and JUNE 9, 2010

EMPLOYEE EVALUATION PURSUANT TO California Government Code Section 54957 Public Employee Performance Evaluation: Position – City of Angels Engineer

Council Action: Completed evaluation. Direction given to City Administrator and Council Members.

JUNE 22, 2010

CONFERENCE WITH LEGAL COUNSEL PURSUANT TO California Government Code Section 54957.6: Status of City Administrator's Contract

Council Action: Awaiting information from City Attorney.

Continued to July 6, 2010 meeting

APPROVAL OF AGENDA

Council Member Downey suggested that due to the presence of CCOG Director Tim McSorley, would Council Members agree to move Agenda Item #7 "AGREEMENT TO PROVIDE FINANCIAL SERVICES TO CCOG" for discussion after agenda item #2. The Council agreed.

STAFF UPDATES

Dave Richards – City Administrator

- Summarized his report included in packet. He and staff are working with the school district and he stated that he is confident the City of Angels will not be delaying the BHHS Aquatic project.

Gary Ghio – City Engineer

- Provided an update of the Stockton Road closure.
- UPA and City staff will be making repairs at the water plant on July 7th.

Melisa Ralston – Finance Officer

- Provided copy of the ACBA invoice in the packet.

Todd Fordahl – Interim Police Chief

- Summarized his report included in packet.

Dave Hanham – Planning Director

- Reviewed handout of his staff report.

COUNCIL UPDATES

Council Member Morris

- Attended LLD, Safety Services and CCOG.

Council Member Downey

- Attended CCOG, Museum Commission and Foundation meetings, Infrastructure/Facilities where biosolids and belt drive possibility was discussed.

Council Member Boeding

- LAFCO cancelled. Attended Infrastructure/Facilities.

Mayor Lynch

- MOU closed sessions.

PUBLIC COMMENT

Dave Scarborough – President of the Angles Camp Police Association

Stated that he and fellow officers understand the economic difficulties the City is experiencing and the Association has voted to give back the 5% COLA they are due on July 1st.

Dennis Dooley – CCWD Board Director

Introduced new CCWD General Manager – Joone Lopez

Rosie Sundell – Bear Valley marketing

Announced the Tough Mudder event taking place in bear Valley on October 9th and 10th.

Steve Difu – 576 Sasa

- Asked when there will be water in the pool at Bret Harte. He was directed to BHHS with his question.
- Asked how much money the City gives CCOG. Rick Downey said zero money was given to CCOG from the City. If Steve is interested in what the CCOG does, he is welcome to attend CCOG meetings.

John Derek – Kokonee Power

Reported there will be a 2-day fishing tournament this weekend at New Melones Lake.

Richard Wilmschurst – Resident of Angels Camp

Council Member Boeding presented a Norman Rockwell print donated by Richard Wilmschurst that will be placed in the firehouse/Council Chambers.

Mr. Wilmschurst asked what the difference between a resolution and an ordinance was. This was explained to him by the Planning Director. He then spoke on the high cost of land development application fees. Mr. Wilmschurst asked for more detail in the cash disbursements report.

CONSENT AGENDA

MOTION by Council Member Turco, seconded by Council Member Boeding and carried 5-0 ADOPTING THE CONSENT AGENDA.

- a. Minutes of Regular meeting – June 1, 2010
- c. Cash Disbursements

REGULAR AGENDA

1. **REQUEST FOR FEE ASSIGNMENT – MCDONALD’S** – David Hanham, Planning Director
The Planning Director explained that staff recommends the McDonald’s restaurant be approved as a part of the shopping center and not a stand alone store.

Steve Difu – 576 Sasa

Questioned if this was a franchise or owned by McDonald’s Corp. It was stated this is a franchise.

Questioned if the City had any responsibility in supporting another fast food restaurant when there is already a Burger King, a Taco Bell and a Kentucky Fried Chicken? It was stated the City could support another fast food restaurant.

Mike Maynard – McDonald’s

Stated McDonald’s is looking forward to being in the City. They will break ground in the middle of July and as long as everything was on schedule, would open the end of October.

MOTION by Council Member Boeding, seconded by Council Member Downey and carried 5-0 APPROVING A TRAFFIC MITIGATION FEE ASSIGNMENT FOR MCDONALD’S – APPROVING MCDONALD’S AS A STAND ALONE STORE.

2. **SANITARY SEWER SIPHON AT FINNEGAN LANE: PRESENTATION** – Gary Ghio, City Engineer

The City Engineer presented a Powerpoint showing three options for eliminating the inverted siphon. Very rough cost estimates were provided.

Option #1 – Lift Station @ approximately \$842,500.

Option #2 – Pedestrian Bridge @ approximately \$1.1 million

Option #3 – New Alignment @ approximately \$844,238.

John Broeder – 1860 Finnegan Lane

Said he was glad to see progress being made and suggested a grant or some sort of funding be pursued to continue the process.

Council Member Downey said he was in favor of option #3 and suggested the City Engineer move forward with getting tighter costs. The City Engineer reported the Clean Water State Revolving Fund may be re-opening a window for new projects. He will keep a watch out in order to put this project on.

The Council were unanimously in favor of moving forward with Option #3.

Direction: Referred to Infrastructure/Facilities as on-going project.

NOTE: AGENDA ITEM #7 WAS DISCUSSED.

7. **AGREEMENT TO PROVIDE FINANCIAL SERVICES TO CCOG** – Melisa Ralston, Finance Officer Turco

Tim McSorley, CCOG Director reported that the agreement between the City and CCOG has been approved by the CCOG board.

Steve Difu – 576 Sasa

Asked how viable the CCOG was. Council Member Morris explained the function of the CCOG.

Tad Folendorf – 1090 Utica Lane

Explained the history of the CCOG when there were only 2 members from the City and 2 members from the Board of Supervisors.

MOTION by Council Member Turco, seconded by Council Member Morris and carried 5-0 DIRECTING THE FINANCE OFFICER TO PROVIDE ACCOUNTING SERVICES TO THE CALAVERAS COUNCIL OF GOVERNMENTS (CCOG) AND APPROVE THE AGREEMENT BETWEEN THE CITY OF ANGELS AND THE CCOG FOR THESE SERVICES WITH DELETION OF “DAY-TO-DAY” AT SECTION 2-2.1(a).

3. **APPROVE RECORDATION OF PARCEL MAP FOR BOUNDARY LINE ADJUSTMENT** –

Gary Ghio, City Engineer

MOTION by Council Member Boeding, seconded by Council Member Downey and carried 5-0 ADOPTING RESOLUTION NO. 10-19. A RESOLUTION ACCEPTING THE PARCEL MAP FOR BOUNDARY LINE ADJUSTMENT FOR MCCARTNEY/LUCIDO APD 062-018-028-028; 1130 SUZANNE DRIVE.

4. **APPROVAL FOR CITY ENGINEER TO REVIEW GRADING PLANS (referred by LLD)** –

Gary Croletto, LLD Chair

MOTION by Council Member Turco, seconded by Council Member Downey and carried 5-0 DIRECTING STAFF TO CONTINUE THIS ITEM TO THE JULY 6TH COUNCIL MEETING AND DIRECT CITY ENGINEER TO RESEARCH GRADING ISSUE.

Direction: Continue to July 6th Council meeting.

5. **AMENDMENT TO WEED ORDINANCE** – Nathan Pry, Fire Marshal

Nathan explained the need for an urgency weed ordinance and reviewed how the process would proceed if approved. He pointed out the ordinance would need a 4-1 vote from Council to pass. The Council discussed the ordinance and one issue causing concern was the \$100. fine. Most felt it should be more.

MOTION by Council Member Turco, seconded by Council Member Lynch with Council Members Morris, Boeding and Downey voting ‘NO’ ADOPTING RESOLUTION NO. 447. AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGELS ADDING CHAPTER 8.10 TO TITLE 8 (HEALTH AND SAFETY) OF THE ANGELS CAMP MUNICIPAL CODE REGARDING THE ABATEMENT OF WEEDS AND RUBBISH WITH THE AMOUNT TO LEVY A FINE CHANGED FROM \$100.00 TO \$500.00.

Vote was 2 {YES: Turco, Lynch}, 3 {NO: Morris, Downey, Boeding}. MOTION DID NOT PASS

MOTION by Council Member Morris, seconded by Council Member Boeding with Council Members Turco and Downey voting ‘NO’ ADOPTING RESOLUTION NO. 447. AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGELS ADDING CHAPTER 8.10 TO TITLE 8 (HEALTH AND SAFETY) OF THE ANGELS CAMP MUNICIPAL CODE REGARDING THE ABATEMENT OF WEEDS AND RUBBISH.

Vote was 3 {YES: Morris, Boeding, Lynch}, 2 {NO: Turco, Downey}. MOTION DID NOT PASS

MOTION by Council Member Downey, seconded by Council Member Turco with Council Members Morris and Boeding voting ‘NO’ ADOPTING RESOLUTION NO. 447. AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGELS ADDING CHAPTER 8.10 TO TITLE 8

(HEALTH AND SAFETY) OF THE ANGELS CAMP MUNICIPAL CODE REGARDING THE ABATEMENT OF WEEDS AND RUBBISH WITH THE AMOUNT TO LEVY A FINE CHANGED FROM \$100.00 TO \$400.00.

Vote was 3 {YES: Downey, Turco, Lynch}, 2 {NO: Morris, Boeding}. MOTION DID NOT PASS

MOTION by Council Member Morris, seconded by Council Member Lynch and carried 4-1 with Council Member Downey voting 'NO' ADOPTING RESOLUTION NO. 447. AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGELS ADDING CHAPTER 8.10 TO TITLE 8 (HEALTH AND SAFETY) OF THE ANGELS CAMP MUNICIPAL CODE REGARDING THE ABATEMENT OF WEEDS AND RUBBISH WITH THE AMOUNT TO LEVY A FINE CHANGED FROM \$100.00 TO \$200.00.

6. **RESOLUTION FIXING EMPLOYER'S CONTRIBUTION OF PERS MEDICAL** – Melisa Ralston, Finance Officer

MOTION by Council Member Turco, seconded by Council Member Boeding and carried 5-0 ADOPTING RESOLUTION NO. 10-18. A RESOLUTION APPROVING FIXING OF THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT.

MEETING ADJOURNED AT 8:55 P.M.

ATTEST:

Jack Lynch
Mayor

Mary Kelly
City Clerk